

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

METROPOLITAN LIFE
INSURANCE COMPANY,

Plaintiff,

v.

Case No.: 22-cv-10298

SHIRLLESLEA RODGERS,
TOINU RODGERS, DESTINY
RODGERS, JEREMIAN KENDRICK
AND EDRIC RODGERS,

Defendants.

**ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION, DIRECTING THE CLERK TO
DISTRIBUTE FUNDS, AND DISMISSING THE CASE WITH PREJUDICE**

This matter was referred to United States Magistrate Judge Anthony P. Patti to hear and determine all pre-trial proceedings. (ECF No. 17.) On April 18, 2023, the Magistrate Judge issued a "Report and Recommendation Regarding Distribution of Funds and Dismissal of Action." (ECF No. 27.) Therein, the Magistrate Judge recommended that the court: (1) direct the Clerk of the Court to distribute the remaining balance in the Registry of the Court equally between Defendants Toinu Rodgers, Destiny Rodgers and Jeremiah Kendrick; and (2) dismiss the case with prejudice. (*Id.*, PageID.179.)

No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C), thus further appeal rights are waived.¹ Accordingly,

¹ The failure to object to the magistrate judge's report releases the court from its duty to independently review the motion. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

The Court ADOPTS the Report and Recommendation for purposes of this Order.
Accordingly,

IT IS ORDERED that the Clerk of the Court is DIRECTED to distribute forthwith the remaining balance of the funds on deposit in the registry of this Court as follows:
(1) \$6,823.62, plus 33.33% of any accrued interest on the fund, to Toinu Rodgers, 27413 Winchester Terrace, Brownstown Twp, MI (2) \$6823.61 plus 33.33% of any accrued interest on the fund, to Destiny Rodgers, 27413 Winchester Terrace, Brownstown Twp, MI 48183 and (3) \$6,823.61, plus 33.33% of any accrued interest on the fund, to Jeremiah Kendrick, 27413 Winchester Terrace, Brownstown Twp, MI 48183. Any such disbursement shall be conditioned, however, on Toinu Rodgers, Destiny Rodgers, and Jeremiah Kendrick providing their social security numbers to the court's chambers, in the manner specified below.

IT IS FURTHER ORDERED that, no later than **May 12, 2023**, Defendants Toinu Rodgers, Destiny Rodgers, and Jeremiah Kendrick shall contact the court's Case Manager, Ms. Lisa Wagner, via email at lisa_wagner@mied.uscourts.gov or via mail at *United States District Court, 526 Water Street, Port Huron, MI 48160* to provide the court with their social security numbers.

IT IS FURTHER ORDERED that the case is DISMISSED WITH PREJUDICE.

s/Robert H. Cleland /
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: May 3, 2023

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, May 3, 2023, by electronic and/or ordinary mail.

s/Lisa Wagner /
Case Manager and Deputy Clerk
(810) 292-6522

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